

**IN THE UNITED STATES BANKRUPTCY COURT  
DISTRICT OF PUERTO RICO**

IN RE: **ANA RIVERA RIVERA**  
SSN xxx-xx-1206

CASE NO: **19-02048-BKT**

Debtor(s)

**Chapter 13**

**TRUSTEE'S OBJECTION TO PROPOSED PLAN CONFIRMATION UNDER SECTION 1325**

\*ATTORNEY FEES AS PER R 2016(b) STATEMENT:

Attorney of Record: **ROBERTO FIGUEROA CARRASQUILLO\***

Total Agreed: **\$3,000.00**      Paid Pre-Petition: **\$132.00**      Outstanding (Through the Plan): **\$2,868.00**

\*TRUSTEE'S POSITION RE CONFIRMATION UNDER U.S.C. §1325

**Debtor's/s' Commitment Period:** ☐ Under Median Income 36 months ☒ Above Median Income 60 months §1325(b)(1)(B)  
☐ The Trustee cannot determine debtor's/s' commitment period at this time.      Projected Disposable Income: **\$30,303.00**

**Liquidation Value: \$116.00      Estimated Priority Debt: \$0.00**

**If the estate were liquidated under Chapter 7, nonpriority unsecured claims would be paid approximately \$116.00**

With respect to the (amended) Plan date: **Jun 18, 2019 (Dkt 20)**      **Plan Base: \$22,202.00**

**The Trustee:** ☐ **DOES NOT OBJECT** ☒ **OBJECTS** Plan Confirmation      Gen. Uns. Approx. Dist.: 69.62 %

**The Trustee objects to confirmation for the following reasons:**

**[1325(a)(6)] Insufficiently Funded – Plan funding insufficient to comply with Above Median Income Debtor(s) Projected Disposable Income. [1325(b)(4)]**

The minimum base needed totals approximately \$31,200.00. This base is subject to change since the bar date for unsecured creditors is yet to elapse.

The undersigned counsel has verified Debtor's Means Test and noticed that the IRS local standard deductions in Debtors Means Test are greater than the ones that apply to debtor. This is what is creating the general unsecured pool. Debtor's counsel should discuss the matter with the Trustee.

**\*OTHER COMMENTS / OBJECTIONS**

**NONE.**

**CERTIFICATE OF SERVICE:** The Chapter 13 Trustee herewith certifies that a copy of this motion has been served via first class mail on the same date it is filed to: the DEBTOR(S), and to her/his/their attorney through CM-ECF notification system.

/s/ Nannette Godreau, Esq.